

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Joshua Vause

Case Number: 0980 2:07CR00144-RHW-2

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: January 20, 2011

Original Offense: Importation of Ecstasy, 212 U.S.C. § 952 and 960; Possession with Intent to Distribute Ecstasy, 21 U.S.C. § 841(a)(1) and (b);

Original Sentence: Prison 46 months; TSR - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Matthew F. Duggan

Date Supervision Commenced: October 16, 2013

Defense Attorney: David Partovi

Date Supervision Expires: September 30, 2015

PETITIONING THE COURT**To issue a summons.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1

Standard Condition # 3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.**Supporting Evidence:** On August 28, 2015, the defendant reported to the probation office at which time he was asked about his participation in Suboxone treatment. He admitted he had been participating for a little over a month. This officer inquired as to if he had been abusing opiates, either heroin or opiate medications. Mr. Vause denied any abuse. This officer asked if he had provided information to the treating facility about recent opiate abuse or if he had tested positive on a drug test for them for opiates. Mr. Vause again denied any self disclosure to the treating facility or testing positive on a drug test. Mr. Vause was asked to sign a release of information so I could speak with the treating facility about why he was admitted. Mr. Vause was clear that he was admitted into the program as he has back issues and wanted to make sure he did not abuse opiates in the future.

On September 3, 2015, the treating facility contacted this officer and we discussed the defendant's entry into the Suboxone program. It was stated that the defendant had admitted to illegally purchasing Suboxone on the street for over a year. He was abusing the medication when he contacted the facility. Suboxone is a synthetic opiate and can be used

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to get high. When asked if the defendant had tested positive for any controlled substances when he first arrived, they were unable to discuss that with me as the defendant did not sign a release of information about test results.

- 2 **Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On August 28, 2015, the defendant provided a random urinalysis sample which tested presumptive positive for the presence of marijuana. The sample was confirmed positive for the presence of marijuana on September 3, 2015.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/14/2015

s/David L. McCary

David L. McCary
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other


Signature of Judicial Officer

September 16, 2015

Date